TL 3811

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
Director Eric Sottas

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Case IDN/TMP050597

The International Secretariat of OMCT requests your **URGENT** intervention in the following situation in **East Timor**.

Brief description of the situation:

The International Secretariat has been informed by reliable sources of the grave concerns for the physical and psychological integrity of five East Timorese persons.

According to the information received, members of the Indonesian military are believed to have shot and arrested **Edison Marcal Dias Freitas** (27) at about 4.30pm on 21 April 1997, at the old market place in Quintal Boot, Santa Cruz. He is from Santa Cruz and is the son of Gamunoco and Maria Candida de Sousa Ximenes Fatima. It is alleged that he was taken to an unknown destination and that his family have failed to locate his whereabouts and to get any information on the state of his health or reasons for his arrest.

According to the information received, it is believed he was suspected of participating in the incidents which took place on 24 December 1996 in Dili, following Bishop Belo's return from Oslo where he received the 1996 Nobel Peace Prize. Many people had gathered to welcome Bishop Belo home but violence broke out, resulting in the death of a member of the Indonesian military, Alfredo de Santo Siga. The information also states that **Edison Marcal Dias Freitas** was under constant surveillance for sometime prior to his disappearance.

There are grave fears for the physical and psychological integrity of **Edison Marcal Dias Freitas**, if he is in detention. OMCT has also been informed that **Edison Marcal Dias Freitas** may be in urgent need of medical assistance for any injuries sustained from the shooting.

Furthermore, according to the information received, **Felisberto Maria dos Santos** (44) from Lauhata in Liquica, **Domingos Laranjeira** (36) from Becora, Dili, **Jose Sobral** (40) from Ailok Laran - Bairro Pite, Dili, and **Marcelino Fatima dos Santos** (29) from Lauhata, Liquica were arrested on 30 March 1997 in the sub-district of Atabae, Bobonaro by members of the SGI (Special Intelligence Unit) and Kopassus (Special Forces Command). They were travelling on motorbikes when they were stopped at a military checkpoint and arrested. It is believed that they are being held in military custody by the SGI (Special Intelligence Unit) in Dili, but their exact whereabouts remains unknown.

The official reasons behind their arrest are unknown, however, it is believed that **Felisberto Maria dos Santos** was arrested on suspicion of being a member of the East Timorese Armed Resistance. It is also believed that the other three men were arrested for their alleged involvement in the clandestine resistance movement in East Timor.

The International Secretariat expresses its grave concern over the great number of grave violations of Human rights in East Timor (see cases : IDN/TMP 170197, IDN/TMP 290197, IND020597). Prisoners in East Timor are at high risk of torture and ill-treatment while in military or police custody, especially if they are denied access to members of their families and independent legal representation. The OMCT fears for the physical and psychological integrity of the five persons detained whose condition and whereabouts remains unknown.

Action requested:

Please write to the Indonesian authorities urging them to:

i immediately locate the whereabouts and guarantee the physical and psychological integrity of **Edison Marcal Dias, Freitas Felisberto Maria dos Santos, Domingos Laranjeira, Jose Sobral,** and **Marcelino Fatima dos Santos** including providing immediate appropriate medical treatment if needed, and access to family and independent legal representation;

ii order their immediate release in the absence of valid charges or if such charges exist, assure that the accused be brought before a competent and impartial civil tribunal and guarantee their procedural rights at all times;

iii carry out an impartial and thorough investigation into the events identify those responsible and impose upon them the civil, penal and/or administrative sanctions provided by law;

iv ensure in all circumstances the full respect of human rights and fundamental freedoms in accordance with national and international standards.

Addresses:

MINISTER OF JUSTICE M. Haji Utoyo Usman S.H., Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 314 1625

CHIEF OF NATIONAL POLICE E Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, JI. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.
Telegrams : National Police Chief, Jakarta, Indonesia

MILITARY COMMANDER REGION IX/UDAYANA(covers East Timor, amongst other areas)
Maj. Gen. H. A. Rivai, Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia. Telegram : Pangdam IX/Udayana, Denpasar, Bali, Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), JI Pemuda No.104 Arawamangun, Jakarta, Indonesia.

Geneva, 5 May 1997

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.